



Tuck O'Brien
City Planning Director, Planning Division

September 26, 2016

Jonathan Cohen, 167 Fore Street LLC
PO Box 910
Westbrook, ME 04092

Bill Hopkins, Archetype Architects
48 Union Wharf
Portland, ME 04101

Project Name: Ocean Gateway Garage Addition Project ID: 2016-131
Address: 167 Fore Street CBL: 020 F001
Applicant: 167 Fore Street LLC
Planner: Caitlin Cameron

Dear Mr. Cohen:

On September 26, 2016, the Planning Authority approved a Level II Site Plan application to the Ocean Gateway Garage Addition for five stories above the existing retail ground floor – four stories of commercial office and one story of residential. The decision is based upon the application, documents, and plans as submitted by Bill Hopkins and prepared by Archetype Architects. The proposal was reviewed for conformance with the standards of Portland's site plan ordinance.

SITE PLAN REVIEW

The Planning Authority found that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following condition(s) of approval:

1. That the 24 required parking spaces will be provided in the garage and that the number of spaces in the same garage as required by previous site plan for other projects approvals shall not be reduced as a result.
2. That final approval by staff reviewers of Construction Management Plan is needed prior to Building Permit.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any

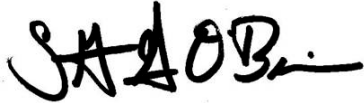
approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.

2. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
8. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Caitlin Cameron at (207) 874-8901.

Sincerely,



Stuart G. O'Brien
City Planning Director

Attachments:

1. Staff Comment Memos
2. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Barbara Barhydt, Development Review Services Manager
Caitlin Cameron, Urban Designer
Philip DiPierro, Development Review Coordinator, Planning
Mike Russell, Director of Permitting and Inspections
Ann Machado, Zoning Administrator, Inspections Division
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Chris Branch, Director of Public Works
Katherine Earley, Engineering Services Manager, Public Works
Bill Clark, Project Engineer, Public Works
Doug Roncarati, Stormwater Coordinator, Public Works
Greg Vining, Associate Engineer, Public Works
Michelle Sweeney, Associate Engineer, Public Works
John Low, Associate Engineer, Public Works
Rhonda Zazzara, Field Inspection Coordinator, Public Works
Jeff Tarling, City Arborist, Public Works
Jeremiah Bartlett, Public Works
Keith Gautreau, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
Lauren Swett, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

MEMORANDUM

To: FILE
From: Caitlin Cameron
Subject: Application ID: 2016-131
Date: 9/26/2016

Comments Submitted by: Caitlin Cameron/Planning on 9/15/2016

Building lighting will reuse existing.
Existing street trees will be preserved.
Any new signage will require a sign permit - IS-FBC shall be the applicable zone for signs.

All comments have now been addressed.

Comments Submitted by: Keith Gautreau/Fire on 6/20/2016

A capacity letter to serve from PWD should be made available to Fire Dept. for fire protection.

Comments Submitted by: Keith Gautreau/Fire on 6/20/2016

Premises Identification

The main entrance of the building must be the address for the property. This should be consistent with 911, tax assessor, Inspections Division and future mailing address.

Street addresses shall be marked on the structure and shall be as approved by the City E-911 Addressing Officer.

If the building entry faces a different street, both the street name and number should be large enough to read from the street.

Address numbers must be a minimum of 4 inches high.

The number should be in Arabic numerals rather than spelled out (for example, "130" instead of "One Hundred and Thirty").

Color: Addresses should be in a color that contrasts with the background.

Whenever possible, should be illuminated.

Comments Submitted by: Keith Gautreau/Fire on 6/20/2016

Construction Management Plan

Streets must maintain a 20' width for Fire Department access at all times.

Fire Hydrants shall not be blocked or enclosed by fencing. A 3' foot clearance must be kept at all times around the fire hydrant.

If gates are locked, a Portland Fire Department Knox padlock must be purchased by the applicant to allow access for the Fire Department.

The Construction Company' emergency contact information shall be posted on the property in case of an after hours emergency.

All construction shall comply with 2009 NFPA 1 Chapter 16 Safeguards During Building Construction, Alteration, and Demolition Operations.

Any cutting and welding done will require a Hot Work Permit from Fire Department.

Comments Submitted by: Keith Gautreau/Fire on 6/20/2016

Emergency Access to the proposed site is excellent on Fore Street.

Comments Submitted by: Tom Errico/Traffic on 9/15/2016

The parking assessment that was provided showed the Residence Inn with 100 parking spaces in the future - that project had a site plan approval for 140 spaces. It will therefore be a condition of approval of the 167 Fore Street project that the 24 required parking spaces will be provided in the garage and that the number of spaces as required by previous site plan approvals shall not be reduced as a result.

Comments Submitted by: Caitlin Cameron/Zoning on 9/15/2016

Design standards now met. Refer to checklist.

Development Review Checklist

IS-FBC

Level I / **Level II** / Level III / Master Plan
 Project Name: Ocean Gateway Garage Addition
 Address: 167 Fore Street
 Description: Alteration / **Addition** / New Construction
 Date Received: 06/13/16 Prelim / **Final**
 Planner: Caitlin Cameron
 Subdistrict UN / **UT** / UA

	Complies	More Info	Does Not Comply	N/A	Comments
PURPOSE					
General Guiding Principles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Subdistrict Intent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UT
GENERAL DEV. STANDARDS					
(a) Prohibited Uses	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Residential, office, retail
(b) Siting Standards					
Mid-Block Permeability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Frontage Req. – Additional Building Length	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Setbacks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Small Lot < 35'	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Side Yard less than 5'	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Special corner treatment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Attached Buildings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Landscaping & Screening					
Surface Parking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1 st Lot Layer - Height	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1 st Lot Layer – Perm.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other Lot Layer - Height	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Addition - Length	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bldg length is allowed to match length of building to which it is an addition.
Building Addition - Stories	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Addition matches existing building stories (6)

	Complies	More Info	Does Not Comply	N/A	Comments
(c) Height Standards					
Height Bonus - Eligible?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Height Bonus – Conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) Parking Standards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 parking space/400sf of office space is required, 24 spaces
Existing Parking - Addition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A Current parking is conforming.
SUBDISTRICT DIMS REQ.					
Siting Standards					
Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UT principal facade
Corner Condition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UT/UT intersection
Lot Coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Building Addition – footprint will not change
Frontage Requirements					
Building Length	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	May exceed req. as long as does not exceed length of existing building.
Additional Bldg Length	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Fenestration Req. (UA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Setbacks					
Principal Building					
Front Yard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Addition does not change existing footprint
Side Yard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Addition does not change existing footprint
Side Yard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Addition does not change existing footprint
Exceptions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Rear Yard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Addition does not change existing footprint
Accessory Building(s)					
Side Yard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Rear Yard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	Complies	More Info	Does Not Comply	N/A	Comments
Building Entries					Although corner lot, addition only faces Fore
Frequency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	One entry provided on Fore
Principal Entry Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Principle entry on Fore
Principal Entry Elevation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	At grade
Height Standards					
Principal Building					
Height	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Matches existing building height, approved at 65'
Stories	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6 stories, matching existing building
Stepbacks (UT, bonus)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Accessory Building(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parking Standards					
Surface Parking Location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Garage Door Setback	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Garage door is existing
Garage Door Opening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Garage door is existing

IS-FBC: Building Design Standards (BDS)

	Complies	More Info	Does Not Comply	N/A	Comments
BUILDING DESIGN STANDARDS (BDS)					Review 3 (9/12/16) Caitlin Cameron, Shukria Wiar, Deb Andrews
1. Neighborhood Context					
Intent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Primary context includes hotels and multi-family residential buildings. The project proposes a curtain wall which is acceptable if the design becomes as visually recessive as possible (see notes in section 5 Materials).
Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Overall building patterns rely on existing building.
2. Massing & Proportion					
Intent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ground floor maintains a human-scale with rhythm of piers, and an active wall with frequent entries and high level of fenestration.
Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Some variation of building massing provided by curved plane, stair tower elements.
Standard 2.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Articulation & Composition					
Intent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pedestrian level environment has articulation and visual interest. Overall building patterns rely on existing building.
Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Upper floors delineated with spandrel glass and framing system, ground floor has piers. Residential entrance emphasized with canopy. Ground floor detailing adds more enclosure and depth.

Standard 3.1: 3 required	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Floor delineation on upper floors, Expression of structural bays, Use of muntin/mullion lines; Ground floor was revised to have a horizontal band rather than spandrel glass to provide a grounding and tie together the vertical brick piers.
Standard 3.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Standard 3.3: Blank Wall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Complies	More Info	Does Not Comply	N/A	Comments Comments
4. Fenestration					
Intent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fenestration reflects the more active ground floor retail spaces and the upper floor office spaces.
Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	High level of glazing at ground level, glass setback from piers adding depth to ground floor façade.
Standard 4.1 (UA only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Standard 4.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Standard 4.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VT meets requirement. Minimize tinting as much as possible.
Standard 4.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Spandrel glass used only at floor plates and adds floor delineation.

	Complies	More Info	Does Not Comply	N/A	Comments
5. Building Materials					
Intent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See comments in Section 3 and 8 regarding Franklin garage façade. The material palette references clapboard context, otherwise, contemporary selection.
Guidelines	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lower floors comply with guidelines - use brick-faced piers to break up the façade and provide fine-grain material. Upper floors uses a curtain wall system which is not found in the context. Metal panels finish should be subtle and low reflectivity, especially since the building neighbors a residential building – would suggest a more recessive color than green (grey or silver are good options).
6. Building Entries					
Intent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Entries were revised to emphasize the office/residential entry from the retail entries.
Standard 6.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Principal entrance faces Fore Street.
Standard 6.2 (UA only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Standard 6.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Standard 6.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Standard 6.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Standard 6.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Garage door is existing.
Standard 6.7: Frequency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Although addition only provides one entry, existing building has multiple entries.
7. Roof Lines					
Intent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Roofline matches existing building except for elevator overrun – see comments below.
Guidelines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Standard 7.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HVAC is integrated into existing roofline. However, review panel is concerned about the visibility of the elevator overrun.
Standard 7.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Flat roof allowed, matches existing building and surrounding context.
8. Structured Parking					N/A: Structured Parking is existing
Intent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Guidelines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Standard 8.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Standard 8.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Standard 8.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Standard 8.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	